



Land Development News

County of San Diego
Department of Public Works
December 2010

Ed Sinsay, DPW Team Leader, Project Manager

Fire requirements and DPW roadway standards for the “same practical effect” issue for public versus private roads.

Because of fire concerns, discretionary projects are often required, by the lead fire protection agency or by the project's fire protection plan, to obtain alternate access. This alternate access is in addition to the project's primary access and is required to provide a secondary route to mitigate dead end road length concerns. For some projects, obtaining alternate access is not possible because an alternate access does not exist or applicants are not able to obtain the necessary access rights to provide the alternate access. Under these circumstances, some local fire protection districts have allowed the widening of a project's primary access to provide the "same practical effect."

For access provided by private easement roads, this means widening is required up front and cannot be deferred in the case of tentative parcel maps. The minimum road width required per the County of San Diego Private Road Standards is twenty-four feet (24'). For access provided by a publicly maintained road, the minimum width required per the County of San Diego Public Road Standards would be twenty-eight feet (28') which meets the minimum interim public road width.

Derek Gade, PDCI DPW LUEG Program Manager

DPW Process Improvement: Waste Discharge Identification Number (WDID) Requirement is Able to be Deferred to Permit Issuance

During a previous Professional Societies meeting, Industry requested a change in timing of when a WDID number is required by the Department of Public Works (DPW). Previously, the WDID number was required during the plan check process prior to the approval of the project plan. Industry noted their requested change was necessary to avoid premature exposure to the new more onerous requirements of the Statewide General Construction Permit.

Effective immediately, DPW is allowing applicants to defer providing the WDID until the DPW permit is requested by the applicant. If the applicant chooses to defer providing the WDID until after plan approval, then DPW will require an additional note on the plans to indicate a WDID is required prior to permit issuance. Prior to permit issuance, Department of Planning and Land Use counter staff will require the applicant to provide proof of a valid WDID.

If you have questions on the WDID number change, please contact a Private Development Construction Inspection representative at (858) 694-3165 or via email at grading@sdcounty.ca.gov.



Cid Tesoro, DPW Watershed Protection Program

Final Hydromodification Management Plan criteria incorporated into the County's Standard Urban Stormwater Mitigation Plan (SUSMP)

Final Hydromodification Management Plan (HMP) criteria will go into effect for all Priority Development Projects (PDPs) in January 2011. Prior to the adoption of the final HMP criteria, all projects that disturb 50 acres or more were required to comply with the Interim criteria, as explained in the Watershed Protection Ordinance (WPO Section 67.812(b)). On December 8th the Board of Supervisors will be voting on amendments to the updated WPO to incorporate the final HMP criteria. Once adopted, the Interim criteria will be replaced with the final HMP criteria. Beginning in January, all PDPs, regardless of size, will need to analyze hydromodification impacts based on the new HMP criteria.

The Regional Water Quality Control Board (RWQCB) approved the Copermittees' final HMP on July 14, 2010. The Municipal Stormwater Permit requires the County to incorporate the final criteria into its Standard Urban Stormwater Mitigation Plan (SUSMP) within 180 days after RWQCB approval of the HMP (<http://www.sdcountry.ca.gov/dpw/watersheds/susmp/susmp.html>) and ensure implementation for all applicable Priority Development Projects (PDPs).

The purpose of the HMP is to manage increases in runoff discharge rates and durations from all PDPs, where such increased rates and durations are likely to cause increased erosion of channel bed and banks, sediment pollutant generation, or other impacts to beneficial uses and stream habitat due to increased erosive force. An applicant can determine if a project is a PDP by completing the County's Stormwater Intake Form (http://www.sdcountry.ca.gov/dpw/watersheds/susmp/susmppdf/susmp_appendix_b.pdf).

In an effort to ease the implementation of the new HMP, Low Impact Development (LID) and Treatment Control BMP standards, a HMP/LID Sizing Calculator for the San Diego Region is currently being developed. To learn more about the Sizing Calculator please review the following PowerPoint: http://www.projectcleanwater.org/pdf/susmp/susmp_training_3-3-10-mosolgo-pres.pdf.

Generally, if a proposed project does not have prior lawful approval before the County's HMP adoption date, the RWQCB requires these projects to meet the final HMP criteria. Project applicants should verify the appropriate HMP criteria with their County DPW Project Manager. Project submittal requirements and HMP documents are available on the Project Clean Water website (http://www.projectcleanwater.org/html/wg_susmp.html).

For any specific questions please contact Jeremy Fantaroni, Watershed Protection Program at (858) 495-5252 or Jeremy.Fantaroni@sdcounty.ca.gov

Terry Connors, DPW County Surveyor

Extensions available for Tentative Maps

How long is that map good for?

With the right circumstances, a tentative map could be good for 32 years. The following is a rundown of all the extensions available for your tentative map and the appropriate section of the Subdivision Map Act. If in doubt, please communicate with DPLU long before the map expires to avoid any confusion.

Initial Map Approval



Land Development News

December 2010

Section 66452.6. (a) (1) 24 months + 12 months by local ordinance.

Extension for Offsite Improvements (Unitized Mapping)

With qualifying improvements, each filing of a final map authorized by Section 66456.1 shall extend the expiration of the approved or conditionally approved tentative map by 36 months from the date of its expiration or the date of the previously filed final map, whichever is later.

Limits of Extensions

The above extensions shall not extend the tentative map more than 10 years from the date of its approval or conditional approval. However, a tentative map on property subject to a development agreement authorized by Article 2.5 (commencing with Section 65864) of Chapter 4 of Division 1 may be extended for the period of time provided for in the agreement, but not beyond the duration of the agreement.

Moratoriums

Section 66452.6 (b) (1) The period of time specified in subdivision (a), including any extension thereof granted pursuant to subdivision (e)(discretionary extension), shall not include any period of time during which a development moratorium, imposed after approval of the tentative map, is in existence. However, the length of the moratorium shall not exceed five years.

Moratorium Termination

Once a development moratorium is terminated, the map shall be valid for the same period of time as was left to run on the map at the time that the moratorium was imposed. However, if the remaining time is less than 120 days, the map shall be valid for 120 days following the termination of the moratorium.

Lawsuits

The period of time specified in subdivision (a), including any extension thereof granted pursuant to subdivision (e)(discretionary extension), shall not include the period of time during which a lawsuit involving the approval or conditional approval of the tentative map is or was pending in a court of competent jurisdiction, if the stay of the time period is approved by the local agency pursuant to this section. However, the length of a qualified and approved stay shall not exceed five years.

Lawsuit Termination

Once a lawsuit is terminated, the map shall be valid for the same period of time as was left to run on the map at the time that the lawsuit. However, if the remaining time is less than 120 days, the map shall be valid for 120 days following the termination of the lawsuit.

Discretionary Extension

The map may be extended for a period or periods not exceeding a total of five years (six after July 15, 2008). The period of extension specified in this subdivision shall be in addition to the period of time provided by subdivision (a).

Automatic Administrative Extension

Upon an application by the subdivider to extend a map, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. (Note: It is unclear whether the 60 days is separate and in addition to any other extension, or is part of and included in the extension being requested. Please seek the advice of an Attorney.)



Land Development News

December 2010

1993 Legislative Extension (Sept. 13, 1993)

Section 66452.11. (a) 24 months, (b) The extension provided by subdivision (a) shall be in addition to any extension of the expiration date provided for in Section 66452.6 or 66463.5.

1996 Legislative Extension (May. 15, 1996)

66452.13. (a) 12 months, (b) The extension provided by subdivision (a) shall be in addition to any extension of the expiration date provided for in Section 66452.11, 66452.6, or 66463.5.

2008 Legislative Extension (July 15, 2008)(SB 1185)

66452.21. (a) 12 months provided the map has not expired on July 15, 2008 and will expire before January 1, 2011, (b) The extension provided by subdivision (a) shall be in addition to any extension of the expiration date provided for in Section 66452.6, 66452.11, 66452.13, or 66463.5, and (d) For purposes of this section, the determination of whether a tentative subdivision map or parcel map expires before January 1, 2011, shall count only those extensions of time pursuant to subdivision (e) of Section 66452.6 or subdivision (c) of Section 66463.5 approved on or before the date (July 15, 2008) that the act that added this section became effective (July 15, 2008) and any additional time in connection with the filing of a final map pursuant to subdivision (a) of Section 66452.6 for a map that was recorded on or before the date that the act that added this section became effective. The determination shall not include any development moratorium or litigation stay allowed or permitted by Section 66452.6 or 66463.5.

2009 Legislative Extension (July 15, 2009)(AB 333)

66452.22. (a) 24 months provided the map has not expired on July 15, 2009 and will expire before January 1, 2012, (b) The extension provided by subdivision (a) shall be in addition to any extension of the expiration date provided for in Section 66452.6, 66452.11, 66452.13, 66452.21, or 66463.5, and (d) (1) For purposes of this section, the determination of whether a tentative subdivision map or parcel map expires before January 1, 2012, shall count only those extensions of time pursuant to subdivision (e) of Section 66452.6 or subdivision (c) of Section 66463.5 approved on or before the date that the act that added this section became effective (July 15, 2009) and any additional time in connection with the filing of a final map pursuant to subdivision (a) of Section 66452.6 for a map that was recorded on or before the date that the act that added this section became effective. The determination made pursuant to this subdivision shall not include any development moratorium or litigation stay allowed or permitted by Section 66452.6 or 66463.5.

If you have any questions, please contact Terry Connors at (858) 694-3869.

Troy Bankston, Manager Civil Engineering Review

Planning and Land Use and Public Works Public Counters Holiday closures

The Planning and Land Use and Public Works Public Counters will be closed during the December holiday season. The dates of closure will be December 24th – December 31st. DPW private land development review will be available by appointment through your respective Land Development Managers. DPLU has indicated building Inspections can also be scheduled by appointment.